

EXHIBIT 8

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CHRIMAR SYSTEMS, INC., ET AL.,

Plaintiffs,

v.

ALCATEL-LUCENT S.A., ET AL.,

Defendants.

6:15-CV-163-JDL
LEAD CASE

PATENT CASE

JURY TRIAL DEMANDED

**PLAINTIFFS' PRELIMINARY CLAIM CONSTRUCTIONS AND
IDENTIFICATION OF EXTRINSIC EVIDENCE PURSUANT TO P.R. 4-2**

Plaintiffs Chrimar Systems, Inc. d/b/a CMS Technologies and Chrimar Holding Company LLC (collectively, “Plaintiffs”), submit the following preliminary claim constructions and identification of extrinsic evidence pursuant to P.R. 4-2 for the four Patents-in-Suit: United States Patent Nos. 8,155,012 (“the ’012 Patent”); 8,942,107 (“the ’107 Patent”); 8,902,760 (“the ’760 Patent”); and 9,019,838 (“the ’838 Patent”). Plaintiffs’ proposals and identification of extrinsic evidence are merely preliminary. Plaintiffs may rely on the prior art references identified during prosecution of the Patents-In-Suit, the alleged prior art identified by Defendants in their invalidity contentions, and/or any extrinsic evidence identified by Defendants. In addition, Plaintiffs may rely on the expert testimony of Plaintiffs’ technical expert, Les Baxter, as extrinsic evidence to support Plaintiffs’ proposed constructions. Mr. Baxter will provide testimony regarding Plaintiffs’ proposed construction and/or the plain and ordinary meaning of each identified claim term/phrase, for example, to explain how each claim term/phrase would be understood by a person of ordinary skill in the art within the industry and in the context of the Patents-in-Suit.

CLAIM TERMS OR PHRASE	PRELIMINARY PROPOSED CONSTRUCTION & IDENTIFICATION OF EXTRINSIC EVIDENCE
“current” / “current flow”	Current: Plain and ordinary meaning Current flow: A non-zero current
’107 Patent, claims 1, 31, 53, 70, 72, 104	
’760 Patent, claims 1, 37, 58, 59, 73, 112, 134	
’838 Patent, claims 1, 2, 7, 26, 29, 55, 69	

“at least one [electrical, voltage, impedance] condition” / “at least one condition applied”	Plain and ordinary meaning
’107 Patent, claims 1, 104, 107	
’760 Patent, claim 1	
’838 Patent, claims 1, 47	

“BaseT”	Plain and ordinary meaning
’012 Patent, claims 36, 56, 60	
’107 Patent, claim 5	
’760 Patent, claims 1, 31, 37, 58, 59, 69, 72, 73, 106, 112, 134, 142, 145	
’838 Patent, claim 1	

“detection protocol” / “part of a detection protocol”	Plain and ordinary meaning
’012 Patent, claim 35	
’107 Patent, claims 72, 123	
’760 Patent, claims 59	
’838 Patent, claim 2	

"powered-off" / "powered-off Ethernet terminal equipment" / "powered-off end device"	Without its operating power / Ethernet terminal equipment without its operating power / End device without its operating power
'107 Patent, claims, 103, 104, 107, 111, 123, 125	
'760 Patent, claims 72, 145	

"loop formed over"	Plain and ordinary meaning
'760 Patent, claims 1, 73	

"convey information"	Plain and ordinary meaning
'107 Patent, claims 1, 104	

The use of the infinitive "to ____" "to draw different magnitudes of DC current flow"	Plain and ordinary meaning
'107 Patent, claim 1, 104	
'760 Patent, claims 1, 73	

The use of the infinitive "to ____" "to detect at least two different magnitudes of the current flow"	Plain and ordinary meaning
'760 Patent, claim 1	

The use of the infinitive "to ____" "to detect current flow"	Plain and ordinary meaning
'760 Patent, claim 58	

The use of the infinitive "to ____" "to detect different magnitudes of DC current flow"	Plain and ordinary meaning
'838 Patent, claim 1	

The use of the infinitive “to ____” “to detect distinguishing information within the DC current”	Plain and ordinary meaning
’838 Patent, claim 7	

The use of the infinitive “to ____” “to distinguish one end device from at least one other end device”	Plain and ordinary meaning
’838 Patent, claim 26	

The use of the infinitive “to ____” “to distinguish one network object from at least one other network object”	Plain and ordinary meaning
’838 Patent, claim 29	

The use of the infinitive “to ____” “to distinguish the piece of Ethernet terminal equipment from at least one other piece of Ethernet terminal equipment”	Plain and ordinary meaning
’107 Patent, claim 43	

The use of the infinitive “to ____” “to distinguish the powered-off end device from at least one other end device”	Plain and ordinary meaning
’107 Patent, claim 111	

The use of the infinitive “to ____” “to distinguish the piece of BaseT Ethernet terminal equipment from at least one other piece of BaseT Ethernet terminal equipment”	Plain and ordinary meaning
’760 Patent, claims 69, 142	

The use of the infinitive “to ____” “to control application of at least one electrical condition”	Plain and ordinary meaning
'760 Patent, claim 1	
'838 Patent, claim 1	

The use of the infinitive “to ____” “control application of the at least one DC power signal”	Plain and ordinary meaning
'838 Patent, claims 40, 69	

The use of the infinitive “to ____” “to convey information about the piece of Ethernet terminal equipment”	Plain and ordinary meaning
'107 Patent, claim 1	

The use of the infinitive “to ____” “to convey information about the powered-off end device”	Plain and ordinary meaning
'107 Patent, claim 104	

The use of the infinitive “to ____” “to provide at least one DC current”	Plain and ordinary meaning
'838 Patent, claim 7	

The use of the infinitive “to ____” “to result from at least one condition applied to”	Plain and ordinary meaning
'107 Patent, claims 1, 104	

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served via email on all counsel of record on November 20, 2015.

/s/ Justin S. Cohen
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